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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/625,326	07/23/2003	L. Lloyd Williams	SWA01 P-107A	7778
28101	7590	07/28/2005	EXAMINER	
VAN DYKE, GARDNER, LINN AND BURKHART, LLP 2851 CHARLEVOIX DRIVE, S.E. P.O. BOX 888695 GRAND RAPIDS, MI 49588-8695			NGUYEN, DUC MINH	
			ART UNIT	PAPER NUMBER
			2643	

DATE MAILED: 07/28/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 10/625,326	Applicant(s) WILLIAMS, L. LLOYD	
	Examiner Duc Nguyen	Art Unit 2643	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
 - If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
 - If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
 - Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-32 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-32 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. ____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Drafts person's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date: _____ |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date: _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. Claims 19, 21-22, 32 are rejected under 35 U.S.C. 102(e) as being anticipated by Ryoo (6,793,135).

Consider claim 19. Ryoo teaches an apparatus for providing electronically mailable call credits, comprising an application server (see fig. 2; cyber card site 206 in associated with settlement server 150, PCCP 140 and PIN master database) adapted to be connected to a data network; a memory associated with the applications sever for storing information in a database; programmed instruction on the application server for accepting from a customer a purchase order of a specified purchase value of call credits via the data network; programmed instructions on the application server for storing information related to the electronic call certificate for the value of the call credits purchased; programmed instructions on the application server for storing information related to the electronic call certificate in the database; and programmed instructions for sending a copy of the electronic call certificate via email to a recipient designated by the customer, the electronic call certificate including at least the value of the call credits purchased and an unique identifier for retrieving the stored information related to the electronic call

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certificate (see fig(s) 2, 7, 10A-I and their descriptions; column(s) 2, line(s) 47-49; column(s) 3, line(s) 1 through column(s) 5, line(s) 21).

Consider claim 21. Ryoo further teaches the limitations of this claim in (column(s) 4, line(s) 51-57).

Consider claim 22. Ryoo further teaches the limitations of this claim in (fig(s) 1; column(s) 3, line(s) 3-20).

Consider claim 32. Ryoo further teaches the limitations of this claim in (column(s) 4, line(s) 58-62 and fig(s) 10D).

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 20 and 31 are rejected under 35 U.S.C. 103(a) as being unpatentable over Ryoo (6,793,135) in view of Ohrstrom et al (US 2003/0050043).

Consider claims 20, 31. Ryoo does not teach the application server comprises programmed instructions for encrypting and decrypting at least part of the messages send and received.

Ohrstrom teaches the application server comprises programmed instructions for encrypting and decrypting at least part of the messages send and received (page(s) 3, § 0026) for the purposes of protecting the transmission and distribution of refill codes.

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Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to utilize the teachings of Ohrstrom into the teachings of Ryoo for the purposes mentioned above.

5. Claims 23-30 are rejected under 35 U.S.C. 103(a) as being unpatentable over Ryoo (6,793,135) in view of Lesley (6,188,752).

Consider claims 23-25, 30. Ryoo does not teach a call control node adapted to communicate with application server to communicate with switching nodes:

Lesley teaches a call control node (SCP 20) adapted to communicate with application server (database 50, in this particular case) to communicate with switching nodes (local exchanges 16a-d or SSP 28) for the purposes of providing prepaid telecommunications services where prepayment is easy and quick (column(s) 1, line(s) 53-55).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to utilize the teachings of Lesley into the teachings of Ryoo for the purposes mentioned above.

Consider claims 26-29. Lesley further teaches the limitations of these claims in (column(s) 8, line(s) 25-54).


Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Duc Nguyen whose telephone number is (571)272-7503. The examiner can normally be reached on 7:00AM-3:30PM.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kuntz Curtis can be reached on 571-272-7499. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).


Duc Nguyen
Primary Examiner
Art Unit 2643

7/23/05